

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

BENJAMIN EUGENE WILLIAMS)

Petitioner,)

vs.)

CITY OF GUNTERSVILLE, et al.,)

Respondent.)


Case No. 4:09-cv-1176-IPJ-RRA

ORDER

On March 15, 2012, the magistrate judge filed his report and recommendation in the above-styled cause, recommending that the pending motion for sanction of dismissal be denied. To date, no objections have been filed by either party.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the magistrate judge's recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Consequently, the motion to dismiss (doc. 64) is DENIED. This case is referred back to the magistrate judge for further proceedings, including an evidentiary hearing.

DONE and ORDERED the 30th day of March, 2012.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE